

**Call to Order:**

The meeting was called to order at 7:52 p.m. Present were Chair, Joan Duff, members Jay Doherty, Vincent Chiozzi, and Lelani Loder; also present was Jacki Byerley, Planner.

**80 Andover Street:**

The Board opened the public hearings that were continued without discussion from the August 14<sup>th</sup> meeting on an application by Continental Wingate Development Company for a Special Permit for Major Non-Residential Project for the construction of a 56,904 sf free-standing addition. Ms. Byerley informed the Board that the applicant requested that the Board continue the hearing without discussion to the meeting on October 9, 2012. Ms. Loder made a motion seconded by Mr. Chiozzi to continue the public hearing on 80 Andover Street to the Board's meeting on October 9, 2012 at 7:30 p.m. **Vote:** Unanimous (4-0)

**Ferry Crossing:**

The Board opened the public hearings on an application by 289 River Road, LLC for a Preliminary Subdivision named Ferry Crossing as prepared by Merrimack Engineering Services for a six (6) lot subdivision off of 289 River Road. Ms. Duff explained to the audience that there are two distinct plans of a subdivision plan, a preliminary plan and a definitive plan. A preliminary plan is a conceptual plan that can be reviewed by the Board. The role of the Board is to offer suggestions and input on the plan to the developer. The decision made by the Board on the preliminary plan is non-binding. Steve Stapinski of Merrimack Engineering Services representing the applicant gave an overview of the project. The 12.88 acre site is located at 289 River Road directly across from Cobblestone Lane. There is a strip of land that is owned by AVIS that separates the site from the Merrimack River. The Conservation Commission has approved the wetlands delineation throughout the site. The site slopes down moderately at an average slope of 4% from River Road towards the river. The site is serviced with Town water, but there is no sewer in front of the property. Mr. Stapinski presented the plans as a cluster development consisting of 6 residential lots with open space dedicated to AVIS adjacent to their existing land abutting the Merrimack River. The developers have worked with AVIS on the location of the open space and have agreed to construct a footbridge across the wetlands to provide access from the roadway to the AVIS land. The cluster plan includes the extension of 1,400 ft of gravity sewer from Cross Street down River Road to the site, which matches the sewer layout designed by DPW for the Town's Master Plan. The extension of the sewer line by the developer would allow for other area homes to be sewerred. Due to the slope of the land, the houses in the subdivision would not be able to be sewerred by gravity, so each lot would have individual pump stations and force mains to connect to the gravity sewer in River Road. This is something that the DPW allows and the Board of Health allows with a special permit. Mr. Stapinski reviewed the stormwater management for the site and addressed comments received at the IDR. At the IDR, planning staff made Mr. Stapinski aware that this preliminary conventional plan submitted does not comply with Zoning in regards to lot size and open space. Ms. Byerley reviewed her memo to the Board dated September 5, 2012. The pavement width on the proposed plan is 24 ft wide and it needs to be 26 ft wide to be a public way. Mr. Stapinski has agreed to change it to 26 ft wide. The water main is not looped as required, the lots do not meet the zoning requirements of 180 ft frontage and 1 acre lot size and the applicant has not requested a waiver for the sidewalk requirements. Mr. Stapinski responded that he has been in contact with Mary Lou Walsh, Transportation Director, and is waiting on a report from her to determine the action

**Ferry Crossing (cont'd):**

to be taken on the sidewalk. Ms. Byerley informed the Board that the wetlands have been verified and the applicant will be filing for a Notice of Intent with Conservation. She noted that the Fire Department is requesting an additional hydrant be placed at the lot line of lots 2 and 3, and also that the applicant needs to show that a Fire Truck could make the turn at the end of the cul-de-sac using the Andover Fire Department turning template. The Police Department may request that some vegetation be removed once the definitive plan is filed in order to meet the sight distance requirements, and they also suggest that Mary Lou Walsh be consulted regarding buses. DPW has mentioned that the grade of sewer may be able to be lowered and the Board of Health reiterated that they would require a special permit for the individual pumping stations. Ms. Byerley informed Mr. Stapinski that AVIS submitted a letter dated September 7<sup>th</sup> requesting the open space and the footbridge. Ms. Duff noted that there were members of AVIS who wanted to attend this meeting to speak on behalf of this project but could not because their regular meeting is tonight. Mr. Doherty questioned how large the houses would be. Mr. Stapinski responded that they would be around 3,000 s.f. Mr. Chiozzi questioned if they would need a variance from the Zoning Board to meet the area and frontage. Mr. Stapinski responded that the preliminary conventional plan does not have the required 180 ft of frontage. If granted a special permit from the Planning Board for a cluster subdivision, then they would be in compliance. Mr. Chiozzi asked if there was enough area to meet cluster requirements. Ms. Byerley answered that the minimum required for a cluster subdivision is 10 acres and the site has 12.88 acres of land. Mr. Chiozzi asked if they would have to check the conventional plan to make sure that they were not getting any extra lots out of the cluster subdivision. Mr. Stapinski explained the details of the cluster bylaw and how this subdivision would meet its requirements. Mr. Chiozzi asked if all of the conventional lots complied with the dimensional requirements. Mr. Stapinski replied that all of the lots on the conventional plan comply with the dimensional requirements. Ms. Loder asked if all of the lots have 100 ft of required frontage because she did not see it on Lot 1. Mr. Stapinski replied that all lots, including Lot 1 have the required frontage and gave the calculations for Lot 1. Ms. Duff questioned how many lots would be allowed on the conventional plan and how many allowed on the cluster plan. Mr. Stapinski explained that the conventional plan allows six lots and the cluster plan allows 11 lots. The cluster plan as proposed will consist of 6 lots plus a Form A lot, so they have 1 more lot under the cluster than allowed under the conventional plan. The reduction in the amount of lots on the site will allow AVIS the land that they prefer next to their existing land. Mr. Stapinski acknowledged that the conventional plan does not meet zoning requirements and a special permit is not in place for the cluster that he presented. He explained that the reason this preliminary plan was presented tonight was to poll the Board on their opinion of the cluster plan. There is a discussion by the Board on their opinion of the cluster plan. There is a consensus that the dedication of land to AVIS is a great benefit to the community, but more engineering work needs to be done. Ms. Loder voiced concern about cars that would be parked at the end of the cul-de-sac to access the AVIS land. Mr. Stapinski replied that he was under the assumption that the land would mostly be used by local neighbors who would walk there. Mr. Chiozzi asked if boats could be launched from the AVIS land. Mr. Stapinski responded that boats could be launched, but it is a very steep area and not a convenient area to do so. He also did not feel that there was any intention by AVIS to improve the area to make it easier to launch boats. Mr. Chiozzi asked if there was any historical flooding of the area. Mr. Stapinski replied that there was no historic flooding and that

**Ferry Crossing (cont'd):**

he delineated the 100-year flood plain on the plan based off of the FEMA Flood Insurance Maps that were issued in July 2012. Mr. Chiozzi asked if the Form A lot would be on gravity sewer. Mr. Stapinski replied that initially it would have a septic system, but with the expansion of the sewer line it would then be gravitated over to the sewer, but all of the other houses would need pump stations and force mains. Mr. Chiozzi asked what sort of emergency power source the pump stations would be on. Mr. Stapinski replied that the State and the Town both require 24 hour storage capacity and all of the houses will be equipped with emergency generators. On a motion by Ms. Loder seconded by Mr. Chiozzi the Board voted to disapprove the Preliminary Subdivision Plan entitled Ferry Crossing located at 289 River Road for failure to meet the design standards of the Subdivision Rules and Regulations and failure to meet the Zoning Bylaw requirements regarding frontage and lot area. **Vote:** Unanimous (4-0)

**6 Tech Drive:**

The Board opened the public hearings on an application by Draeger Medical Systems for a Site Plan Review for a new 1,440 gross square foot products and inventory supply building as an accessory building. Susan Mohn of John G. Crowe and Associates representing the applicant gave an overview of the project. The existing two story office building is approximately 123,000 s.f. and is at capacity. Draeger has an immediate need to install a prefab building for use as an inventory and supply support building for their office operations. It would be located in the back of the building abutting Interstate 93. It would have a concrete walkway that would be accessible by a dolly or small forklift to transport items to and from the loading dock area. The Conservation Commission has closed their hearing on the site and Draeger is waiting on the Order of Conditions to be issued. Several items will be removed from the area to which this building is planned including chiller pads and a dumpster. Jacki Byerley commented that the original submittal included a bathroom in the building, and at the time of the IDR the DPW and Health Department wanted to see sewer and water lines shown on the plan. Since that time the applicant has decided to remove the bathroom from the plans. This has satisfied both DPW and the Health Department. The Building Inspector requested a list of materials to be stored in the building to ensure that no hazardous materials would be stored there. Draeger has provided this list. The Fire Prevention Officer commented that if any flammable items such as a snow blower were to be stored in the building in the future, a permit would be required from the Fire Department. Mr. Chiozzi asked if the building would be fully sprinkled and if there would be heat in the building. Ms. Sara Osborne, Draeger Medical, stated that the building would be fully sprinkled and there would be both heat and air conditioning in the building. Ms. Duff questioned if any people would be working in the building. Ms. Osborne answered that it would just be a warehouse where materials would be received and stored until moved into the actual production area. Ms. Loder asked about traffic flow in the area. Ms. Osborne answered that there are contractor and handicapped parking spaces in that area, but the majority of parking is in another area of the site and there is proper signage that decreases a danger to pedestrians. Ms. Byerley reviewed her draft recommendation to approve the Site Plan Review with nine conditions. On a motion by Ms. Loder seconded by Mr. Chiozzi the Board voted to approve the site plan approval for the construction of a 1,440 gsf supply building for 6 Tech Drive with the conditions in Ms. Byerley's memo dated September 11, 2012. **Vote:** Unanimous (4-0)

**Adjournment:** The meeting was adjourned at 8:48 p.m.